NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

KENNETH J. WILLIAMS, SR.,

Plaintiff, : Civ. No. 08-5897 (GEB)

v. :

ORDER

STATE OF NEW JERSEY, DEPARTMENT OF TREASURY et al.,

Defendants.

ichdants.

BROWN, Chief District Judge

This matter comes before the Court upon the following two motions: (1) the motion to dismiss the complaint with prejudice of Defendants the State of New Jersey Department of Treasury, R. David Rousseau in his official capacity as State Treasurer, the Division of Pensions and Benefits, and Frederick J. Beaver in his official capacity as Director of the Division of Pensions and Benefits (collectively the "Defendants") [Docket # 6]; (2) the motion for summary judgment of Plaintiff Kenneth J. Williams, Sr. ("Williams") [# 8]. Each party opposes the other's motion. The Court has considered the parties' submissions and decided these motions without oral argument pursuant to Federal Rule of Civil Procedure 78. The Court has considered the parties' submissions and decided these motions without oral argument pursuant to Federal Rule of Civil Procedure 78. For the reasons expressed in the accompanying memorandum opinion;

IT IS THIS 2nd day of April, 2009, hereby

ORDERED that Defendants' motion to dismiss Mr. Williams' complaint with prejudice [#

6] is GRANTED;

ORDERED that Mr. Williams' complaint [#1] is DISMISSED WITH PREJUDICE;
ORDERED that Mr. Williams' motion for summary judgment [#8] is DENIED as moot;
ORDERED that the Clerk of the Court CLOSE this case [Civ. No. 08-5897 (GEB)].

/s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.